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Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (for the period from 21 January to 20 September 2010)

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1912 (2010), by which the Council extended the mandate of the United Nations Integrated Mission in Timor-Leste (UNMIT) until 26 February 2011. It covers major developments in Timor-Leste and the implementation of the Mission's mandate since my report of 12 February 2010 (S/2010/85).

2. My Special Representative, Ameerah Haq, continued to lead the Mission and to coordinate with United Nations system actors and other stakeholders. She was assisted by Finn Reske-Nielsen, Deputy Special Representative for Governance Support, Development and Humanitarian Coordination, and by Takahisa Kawakami, Deputy Special Representative for Security Sector Support and Rule of Law, until his untimely death by natural causes on 15 March. Mr. Kawakami was succeeded by Shigeru Mochida on 1 September. The Mission continued its "one United Nations system" approach, having developed an integrated strategic framework and achieved further progress through the undertaking of joint integrated efforts with the United Nations country team across all mandated areas.

II. Political and security developments since January 2010

3. The overall situation during the reporting period remained calm, providing an enabling environment for the Government to give renewed attention to addressing the long-term challenges facing Timor-Leste. This included the development of the National Strategic Development Plan, covering the period from 2011 to 2030. In identifying agriculture, natural resources and tourism as strategic sectors to trigger economic growth, the Plan aims to move Timor-Leste from a low-income to an upper-middle-income country by 2030. Prime Minister Kay Rala Xanana Gusmão held public consultations in each of the country's 65 subdistricts from 19 April through 11 September. At each consultation, the Prime Minister explained the overarching goals of the draft Plan, spoke about how local communities could participate in the country's development and responded to questions and suggestions

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from the audience. After the incorporation of feedback from the public consultations, the Plan will be submitted to the National Parliament for approval.

4. The reporting period also saw further progress in the resumption of primary policing responsibilities by the Polícia Nacional de Timor-Leste in four more districts; the promulgation by President José Ramos-Horta of an important national security legislative package aimed at strengthening the security sector; the development of the Justice Sector Strategic Plan for Timor-Leste, which incorporates most of the recommendations of the October 2009 independent comprehensive needs assessment of the justice sector; and the continued development of critical State institutions.

5. In a major political development, on 1 February, after a prolonged lack of consensus on the choice of a candidate for the post of Anti-Corruption Commissioner, the National Parliament held an election to select Adérito De Jesus Soares. He was sworn in on 22 February. This was possible in large part because of the leadership of Prime Minister Gusmão, as well as the cooperation of all political parties represented in the parliament, including the opposition, who demonstrated their willingness to move forward on a priority national issue.

6. On 2 July, the parliament approved the Government's proposed supplementary budget, which increased the 2010 budget from $660 million to $837.9 million, after more than three weeks of intensive parliamentary committee and plenary discussions, which were attended by the Prime Minister and many members of the Government. The parliament's debate focused mostly on the request of the Government to withdraw funds from the Petroleum Fund beyond the 3 per cent estimated sustainable income and the possibility of diversifying Petroleum Fund investments.

7. The Alliance for a Parliamentary Majority (AMP) Government marked its third anniversary on 8 August. Owing to a divergence of views with the Prime Minister, the Deputy Prime Minister for the Coordination of Affairs related to the Administration of the State, Mário Carrascalão, submitted a letter of resignation on 6 September. Nevertheless, the Deputy Prime Minister's Social Democratic Party has publicly indicated that it would not withdraw from the AMP coalition in order not to jeopardize the stability of the Government.

A. Support for dialogue and reconciliation

8. My Special Representative encouraged consultative and democratic decision-making processes through her regular interactions with a broad range of stakeholders. She continued regular meetings with President Ramos-Horta, President of the National Parliament Fernando "Lasama" de Araújo, the Prime Minister and the Secretary-General of the Frente Revolucionária do Timor-Leste Independente (Fretilin), Mari Alkatiri. She also hosted four meetings with representatives of all political parties, including those without parliamentary representation. One of these was with women political party representatives. My Deputy Special Representative for Governance Support, Development and Humanitarian Coordination continued regular meetings with both of the country's deputy prime ministers to discuss accountability and governance issues, while my Deputy Special Representative for Security Sector Support and Rule of Law continued meetings with the Secretaries of State for Security and for Defence to discuss policing and broader security sector issues.

9. The President continued his dialogue initiative on the theme "Road to peace and national unity", supporting reconciliation and peace initiatives in urban and rural communities. In a speech on 6 August, to mark the third anniversary of the AMP Government on 8 August, the President indicated that peace and reconciliation efforts over the past three years had been encouraging and highlighted the importance of dialogue and mutual respect. Other actors supported similar initiatives at the national level. As a notable example, at the request of political leaders, on 21 and 22 August the Catholic Church hosted a retreat with seven prominent national leaders, including the President; the Prime Minister; the two deputy prime ministers; the Commander of the Timorese armed forces, Falintil-Forças de Defesa de Timor-Leste (F-FDTL); and the Secretary-General and President of Fretilin. The retreat was an important effort to promote dialogue with a view to achieving national consensus on priority issues.

10. Although Fretilin continued to deny the legitimacy of the AMP Government, it did not make any public calls for elections before the end of the term of the current parliament in 2012. The Secretary-General of Fretilin also publicly reiterated on 20 May the commitment of his party to overcoming past challenges and called for 2010-2020 to be a decade of peace, stability and development.

11. The Government and civil society organizations also held dialogue initiatives designed to give a greater voice to women and youth. In commemoration of the tenth anniversary of Security Council resolution 1325 (2000), civil society organizations, supported by UNMIT, the United Nations Development Fund for Women (UNIFEM) and the United Nations Development Programme (UNDP), organized discussion forums in Covalima District on 9 July and in Dili District on 11 June. These forums brought together about 120 women representing civil society, parliament and the Government to discuss women's participation in political processes and the protection of women's rights. My Special Representative participated in both discussions. On 16 August, the Secretary of State for Youth and Sport inaugurated the Youth Parliament (see S/2010/85, para. 105) consisting of 130 young people (including 66 girls) between 12 and 17 years of age who will undergo two years of training on leadership and representational skills, as well as be provided with opportunities to engage in dialogue on policy issues affecting young people. The United Nations Children's Fund (UNICEF) is providing technical support to the initiative.

B. Enhancing democratic governance

12. The Government decided to postpone municipal elections until after the presidential and parliamentary elections in order to allow for the additional human resource and institutional development it deemed necessary at the district level (see S/2010/85, para. 101). The United Nations Capital Development Fund and UNDP continued to provide technical support to decentralization efforts that will eventually lead to the formation of municipalities. This included support for the local development programme under the Ministry of State Administration and Territorial Management, which provides block grants to local assemblies to support the development of local capacities. Launched as a pilot programme in 2004, the programme was expanded to all 13 districts in 2010. Meanwhile, the Government conducted a voter registration update exercise from 1 February to 1 July, targeting the elderly, women in rural areas and new voters. The Mission and UNDP, in an

integrated manner, continued to support the electoral management bodies (the National Electoral Commission and the Technical Secretariat for Electoral Administration) in consolidating institutional capacities so as to enable them to conduct future elections with limited international support, including the organization of voter and civic education campaigns to enhance the role of women in electoral processes as both candidates and voters.

13. Positive developments were registered in the anti-corruption architecture, including the establishment of the Anti-Corruption Commission and the drafting of a law on the establishment of the High Administrative, Tax and Audit Court provided for in the Constitution. The Anti-Corruption Commissioner has since appointed two deputies, who in turn recruited a total of three directors. At the request of the Commission, UNMIT assigned two international advisers and one national adviser to support the Commission.

14. From 13 to 15 July, the Civil Service Commission celebrated the first anniversary of the legislation approving its establishment (see S/2009/504, para. 12). Since its establishment, the Commission, which has a wide-ranging mandate to ensure an effective, impartial and professional public service, has made good progress, for example, through the introduction of more participatory approaches to changes in the civil service so as to gain the understanding and acceptance of ministries. Nevertheless, some challenges remain, including inadequate human resources.

15. The Mission, in collaboration with national stakeholders, organized four democratic governance forums aimed at providing an opportunity for citizens to interact with their national leaders. Twelve members of parliament, the Prosecutor-General, a former judge and civil society representatives participated in these forums, which were conducted in Dili, Baucau and Covalima Districts.

16. On 24 March, the Council of Ministers approved the national policy on social communications, which outlines the Government's position on media development. The policy provides for the protection of local languages and culture, as well as support to community radio. It also makes a firm commitment to a free, pluralistic and diverse media. In line with the Government's policy to promote the independence of media and media pluralism and to enhance the monitoring role of the media, the United Nations Educational, Scientific and Cultural Organization (UNESCO), in partnership with the International Center for Journalists, provided printing machines to three media organizations for the publication of newspapers.

C. Maintenance of public security

17. During the reporting period, the number of UNMIT individual police officers was reduced from 1,045 to 1,023, while the number of police officers in the formed police units remained unchanged. Of 560 formed police unit officers, 330 officers (including 140 in the Malaysian unit, 140 in the Portuguese unit and 50 in the Pakistani unit) were deployed in Dili, while 230 were deployed in other districts (including 140 in the Bangladeshi unit in Baucau and 90 in the Pakistani unit, of whom 71 were in Bobonaro and 19 in Ermera). While UNMIT police continued to perform the mandated task of interim law enforcement, they increasingly focused their efforts on supporting the training, institutional development and strengthening of the national police. Close cooperation with international security forces continued.

18. The security situation in the country remained stable, with no major incidents of public disorder or spikes in reported crime or violence. No significant increase in the number of reported incidents was registered during the period under review. There were no spikes in reported crime in districts where the national police had resumed primary policing responsibilities (see para. 22 below).

19. The reporting period saw a number of reports of alleged Indonesian military activities in the unresolved border areas of Oecussi. For example, residents of the Naktuka area of Nitibe subdistrict reported that on 29 May a group of about 20 Indonesian soldiers partially dismantled two structures built by the Government of Timor-Leste in this unresolved area. As a result of the incident, some residents left the area, although most returned shortly thereafter. This prompted a number of visits to the area by senior Timorese officials, and clarification was made that a lack of coordination among their Ministries had led to the building of structures in that area.

20. Meanwhile, discussions continued on border demarcation of remaining unresolved areas (about 3 per cent of the total length of the border), with the latest technical meeting on border demarcation held from 27 to 29 August in Jakarta. It is hoped that continued efforts to build on these discussions will, in a timely manner, result in a mutually acceptable solution based on understandings already reached at the technical level. Progress was made on other border issues. On 28 July, a ceremony attended by the Minister for Foreign Affairs of Indonesia, Marty Natalegawa, was held in Dili to inaugurate the use of border crossing authorization cards, which had been under discussion since 2000. This will hopefully facilitate access to traditional markets and family visits for residents of both countries who live near the border. Military liaison officers from UNMIT continued to facilitate effective working relationships between the border security agencies of Timor-Leste and Indonesia and to monitor the security situation throughout Timor-Leste. In addition, UNMIT police continued to co-locate with the Border Patrol Unit of the national police at the five border-crossing points with Indonesia and to conduct joint patrols on a daily basis to provide security support and mentoring to the national police.

D. Support for and institutional strengthening of the security institutions

21. Progress was made in the registration, screening and certification programme for the national police, with 2,944 officers (of whom 565 are women), or 94 per cent of the service, fully certified as at 20 September. Of the remaining 203 officers (11 women) who are not finally certified owing to pending criminal or disciplinary issues, 105 (2 women) required adjudication by the Timorese-led Evaluation Panel. The Panel has recommended the suspension and further investigation of 52 officers (1 woman). The Government did not take any measures during the reporting period against those uncertified national police officers. The legal mandate of the Evaluation Panel expired on 31 December 2009. The Government and UNMIT are currently discussing the possible transfer of the Panel's functions to the Office of the General Inspectorate of the Secretary of State for Security in order to ensure increased national ownership and to embed the process within the Timorese legal system.

22. Based on the agreement concluded by the Prime Minister and my former Special Representative on 13 May 2009 (see S/2009/504, para. 20), which reiterates the mutually agreed criteria for the resumption of primary policing responsibilities by the national police, as at 20 September joint assessment teams of civilian and police representatives from the Government and UNMIT had assessed all 13 districts and 6 units. Some were assessed more than once; in total, 29 assessments were conducted. The national police resumed primary policing responsibilities in Ainaro District on 12 April, Baucau District on 16 April, Liquiça District on 7 September and Ermera District on 10 September. In total, eight districts and three units have resumed primary policing responsibilities, while another two districts and three units have met the requirements and will resume primary policing responsibilities later in September. For the three districts and three units assessed as not ready for resumption, including Dili, UNMIT police and the national police jointly developed and implemented measures to enhance their institutional capacity in order to facilitate eventual resumption. These measures included the enhancement of the logistics capacity of the national police and targeted joint training by UNMIT police and the national police in areas such as administrative skills, investigation of gender-based violence, efforts to counter human trafficking and community policing.

23. In districts and units where the national police have already resumed primary policing responsibilities, the UNMIT police played a crucial role in monitoring and tracking the progress of the national police while remaining available to advise, mentor and provide operational support and maintaining the ability, in extremis, to reassume interim law enforcement, if required. In those districts and units, one report of human rights violations was received and six disciplinary cases were reported to UNMIT police. In all cases, the national police initiated disciplinary action. Monitoring activities in the districts have revealed, however, that, while the performance of the national police continued to show improvement, further training and logistical support are required in order to sustain the institutional development of the national police. The Government and UNMIT have initiated discussions on the roles and responsibilities of UNMIT police in relation to mentoring, advising and monitoring following the resumption of primary policing responsibilities by the national police in all districts and units, in order to facilitate smooth and effective progress towards full reconstitution of the national police.

24. On 27 March, the Government announced the first promotions of police officers since the inception of the national police. The promotions expanded the number of available ranks from 4 to 12. On 9 July, in the first act to implement the promotions, the General Commander of the national police formally appointed 73 officers, including the first woman to serve as district commander, in Liquiça District. The promotions process was fully owned by the Government, with support from a committee which included five international experts (from Australia, Malaysia, New Zealand, Portugal and Singapore) and technical support from UNMIT police.

25. Although the promotions were conducted in a fair and transparent manner based on designated criteria with no evidence of bias, there were concerns that some national police officers had been promoted despite having pending disciplinary cases, while others did not fulfil the legal requirements, such as holding the necessary rank. Concerted efforts were made to remove unsuitable officers through the promotions process, with a total of 81 national police officers deemed ineligible for promotion owing to criminal convictions or disciplinary infractions. Nevertheless, seven national police officers appointed to senior ranks are yet to be

finally certified, while n additional 339 national police officers were promoted pending the outcome of ongoing criminal or disciplinary processes. In addition, the results in the promotions process for national police officers in the Border Patrol Unit, Special Police Unit and Maritime Unit are of concern, as the scores of officers in those units on the written test were considerably lower than the scores of comparable officers in other units. If not properly addressed, these decisions could undermine the confidence of the national police in the promotions process.

26. On 23 June, the Police Training Centre issued a training manual on the investigation of gender-based violence, which was developed with support from UNMIT police and the United Nations Population Fund (UNFPA) and bilateral assistance from Australia. The Centre then initiated a course on investigations of gender-based violence for the national police in July, with a total of 40 national police officers (30 women) trained to date. From February to July, the Centre also conducted seven three-day training sessions on human rights, gender awareness, gender-based violence (including domestic violence) and law enforcement, supported by UNMIT, UNIFEM, UNFPA and the International Organization for Migration (IOM). A total of 179 national police officers (59 women) and 93 UNMIT police officers (12 women) were trained.

27. The F-FDTL also continued efforts to develop its human resource and institutional capacities. From 5 to 9 July, UNMIT military liaison officers conducted a five-day mentoring programme for three F-FDTL officers to introduce them to the skills, knowledge and attitude required to be military liaison officers, in line with the Government's aspirations to deploy military personnel to United Nations peacekeeping missions in the future. The Government held an official commissioning ceremony for two patrol boats for the F-FDTL naval component on 11 June. The boats are part of the Government's strategy to counter illegal fishing and protect its territorial seas and exclusive economic zone. On 14 September, about 100 members of F-FDTL held an open dialogue on gender equality, which was facilitated by the Office of the Secretary of State for the Promotion of Equality.

28. The International Organization for Migration continued to support the development of the migration service of the national police through an extensive capacity-building programme, by providing technical legal support for revisions to the immigration and asylum law and by assisting in the installation of a border management information system. Counter-trafficking activities continued under the Millennium Development Goal Achievement Fund Joint Programme. The International Organization for Migration provided direct assistance, including facilitating the return and reintegration of 16 trafficked persons between January and September.

E. Comprehensive review of the security sector

29. Notable progress was made in the overarching legislative and policy framework for the security sector, particularly with the President's promulgation of the national security, national defence and internal security laws on 21 April. Together with these laws, the national security policy, which is pending with the Council of Ministers, will provide an overall framework for security coordination. A draft of the comprehensive review of the security sector, prepared with technical assistance from UNMIT, is under review by the Office of the President in

consultation with other national stakeholders. Other legislation, such as a civil protection law, is currently under development.

30. The United Nations continued to support capacity-building of the security sector, including strengthening civilian oversight through the security sector review project (see S/2009/72, para. 24), a joint UNMIT and UNDP effort that reflects the Mission's integrated approach. Initiatives funded under the project included the following: a survey on public perception of the security sector; support for the regulation of private security companies; an assessment of the capacity of the Government to respond to complex emergencies; support for early warning mechanisms to be established by the Secretariat of State for Security; a lecture series on security sector reform hosted by the President; training for key security sector personnel; an assessment of the operational capacity of national fire service equipment; training on the rehabilitation of radio communication equipment; and placement of national and international advisers in key State institutions.

III. Promotion of human rights and administration of justice

A. Support for the monitoring, promotion and protection of human rights

31. Human rights violations by members of the security services, in particular ill-treatment and excessive use of force, remained a concern. During the reporting period, UNMIT received allegations of 59 cases of violations by the national police and 13 cases of violations by F-FDTL. Despite indications of the strengthening of the internal disciplinary mechanisms of the national police, progress was slow in bringing members of the security services responsible for violations to justice through the courts. For example, the Office of the Prosecutor-General did not file indictments in relation to two incidents of national police officers allegedly shooting civilians: one incident in Dili on 28 December 2009 in which one person was injured and another fatally wounded (see S/2010/85, para. 9), and one incident in November 2009 in which a civilian was seriously injured. A civilian oversight team established by the Government in early January to oversee the national police investigation into the fatal shooting in Dili has not met since 21 January. In late August and early September, there were reports of two incidents of alleged misconduct by F-FDTL members and an incident in which F-FDTL members, reportedly responding to an altercation, allegedly severely assaulted a civilian, resulting in his death. These cases should be investigated by police and properly processed through the judicial system. A high number of incidents of gender-based violence were reported. Despite domestic violence being a public crime, many such cases continued to be resolved through traditional mechanisms that did not always conform to international human rights standards.

32. On 3 March, the Dili District Court delivered its verdict in the trial of 28 defendants accused of involvement in the 11 February 2008 attacks against the President and the Prime Minister, with 24 defendants convicted and 4 acquitted. All of the 10 defendants indicted for the attack on the President were convicted on various charges and sentenced to imprisonment of 16 years. Of the 17 defendants charged in connection with the attack against the Prime Minister, 13 were given prison sentences of nine years and four months, while one defendant was given

10 years and eight months. On 14 June, the Court of Appeal upheld the sentences. The trials were monitored by civil society organizations and UNMIT, and were seen to have generally upheld human rights standards for fair trial. On 20 August, however, the President granted commutations of the sentences to 23 of the 24 convicted persons; they were released on 27 August. One individual also convicted of the above crimes was free from custody under restrictive measures during the trial, and subsequently never taken into custody to begin serving his sentence. Consequently, this individual was not granted a similar commutation. The Catholic Church and civil society organizations expressed concern that the commutations could contribute to perceptions of impunity, although the President explained that the commutations had been granted in consultation with, inter alia, the Government, members of parliament and families of the victims and perpetrators, and in accordance with the Constitution and applicable laws. The President also noted that the released prisoners would be on parole and would be immediately returned to prison in case of parole violations.

33. Initiatives to strengthen the Office of the Provedor for Human Rights and Justice continued through a joint programme of UNDP and the Office of the United Nations High Commissioner for Human Rights. These included training, workshops and mentoring, particularly as regards the preparation of Timor-Leste's forthcoming universal periodic review by the Human Rights Council. On 14 April, Provedor Sebastião Dias Ximenes was sworn in to serve another four-year term. In addition to its annual report, which was submitted to the National Parliament on 1 July, the Office of the Provedor submitted reports to relevant State institutions on the right to food, the right to education and human rights violations perpetrated during security operations conducted from January to July in Bobonaro and Covalima Districts. Despite modest improvement in the capacity of the Office of the Provedor, concerns remain that the institution's budget and staffing are currently insufficient to implement its mandate effectively. The National Commission on the Rights of the Child, supported by UNICEF and UNMIT, initiated public outreach on the Convention on the Rights of the Child and the work of the National Commission, and continued building the capacity of its staff.

34. Limited progress was made towards holding accountable those responsible for criminal acts and human rights violations during the 2006 crisis, as recommended by the Independent Special Commission of Inquiry (see S/2006/628, para. 24). As at 20 September, final judgements had been rendered in seven cases involving the convictions of 10 people. The Office of the United Nations High Commissioner for Human Rights continued to fund an international prosecutor to work on those cases. On 18 June, four persons, including the former national police commander of Liquiça District, were acquitted of charges related to an attack on 24 and 25 May 2006 on the residence of the F-FDTL General Commander. This was the third trial related to the same events, after the Court of Appeal ordered the repetition of the trial in two instances owing to procedural errors. Obstacles to the enforcement of sentences remained. Three F-FDTL members convicted of homicide and attempted homicide in the shooting deaths of eight national police officers in 2006 were also granted commutations of their sentences on 20 August. They were released immediately and have returned to active duty, in violation of military service regulations. On 28 July, each of the widows of the eight killed national police officers was paid $2,500 as ordered by the Dili District Court in its judgement of December 2007. The origin of the payments is as yet unclear, however, despite the

Court's specific requirement that the defendants pay the compensation. On 17 September the Dili District Court rendered its judgement in the Fatu Ahi case involving 27 defendants accused of homicide, the use of weapons to disturb public order and rebellion. All of the accused were acquitted for lack of evidence.

35. On 26 January, the Office of the Provedor and the national human rights commission of Indonesia signed a memorandum of understanding on implementation of the recommendations of the reports of the Commission for Reception, Truth and Reconciliation and the Commission of Truth and Friendship. On 16 June, draft laws on the follow-up institution to those two Commissions and on reparations were formally submitted to the President of the National Parliament (see S/2010/85, para. 76). On 6 and 7 July, the National Parliament organized a public consultation on the draft laws, resulting in recommendations that will be incorporated into revised drafts prior to further debate. The United Nations Development Programme and UNMIT provided technical assistance in the drafting of the laws.

36. The UNMIT Serious Crimes Investigation Team continued investigations into cases of serious human rights violations committed in 1999 in 9 out of 13 districts under the overall supervision of the Office of the Prosecutor-General. As at 20 September, 163 investigations out of 396 outstanding cases had been concluded. An additional 29 cases are currently under investigation. The pace of investigation was expedited by the assignment of five UNMIT police investigators and 10 national investigator positions to the Team.

37. The Mission continued to give high priority to the zero-tolerance policy with respect to sexual exploitation and abuse, including through the provision of introductory briefings and regular training for all United Nations personnel on the prevention of sexual exploitation and abuse. This included induction sessions upon arrival for all UNMIT police and civilian staff. The Mission also continued outreach programmes through its regional offices to enhance the awareness of United Nations personnel and local communities about the expected standards of conduct of United Nations personnel. During the reporting period, no cases of sexual exploitation or abuse were reported. The Mission continued its awareness activities under the "UN Cares" strategy. During the reporting period, 899 staff (139 women) of UNMIT and United Nations agencies, funds and programmes received HIV/AIDS-related training.

B. Support for capacity-building and strengthening of the justice system

38. On 17 June, the Ministry of Justice launched the Justice Sector Strategic Plan for Timor-Leste, which incorporates most of the recommendations of the independent comprehensive needs assessment of the justice sector of October 2009 (see S/2009/504, para. 50, and S/2010/85, para. 73). The number of national justice actors increased to 49 (18 women), and the transition of international legal actors from line functions into advisory roles continued. Progress was also achieved in the increased use of the formal justice system. From February to June, 1,628 new prosecution cases were registered and 1,762 cases handled, leaving the total criminal prosecution caseload at 4,965. This is a welcome development, but effectively managing the caseload remains a challenge, and the will to prosecute is,

sometimes, weak. With the support of UNMIT, UNDP and other international partners, a major initiative has been undertaken to improve the case management system in the justice sector. The new system is expected to become operational in the Office of the Prosecutor-General by October, and is likely to be extended to the other legal institutions by early 2011.

39. Some significant gender-responsive legislative frameworks were put in place during the reporting period. On 21 June, the President promulgated the law against domestic violence, for which UNMIT, UNFPA and UNIFEM provided technical advice. Coordinated support by UNMIT and the United Nations country team is being provided in all aspects of the implementation of the law, including to the Secretary of State for the Promotion of Equality, who is leading the development of the implementation plan, and to civil society, in order to raise awareness of the law.

IV. Support for the "compact", socio-economic development and humanitarian assistance

A. Support for the "compact" process

40. Progress continued to be made in meeting the national priority targets that constitute the international compact for Timor-Leste (see S/2008/501, para. 36). On 6 April, the Council of Ministers endorsed the 2011 national priorities, with emphasis on basic infrastructure, energy, rural development and human resources. In close cooperation with the World Bank, UNMIT provided support to the national priorities secretariat led by the Ministry of Finance. By 30 June, 30 per cent of quarterly targets had been met, with the remainder on track for completion by the end of the year.

41. The national Millennium Development Goals steering committee was revitalized during the reporting period, and held two meetings, chaired by the Minister of Finance, on 26 January and 26 March. At the High-Level Plenary Meeting of the General Assembly on the Millennium Development Goals, held from 20 to 22 September in New York, President Ramos-Horta presented the third comprehensive report of Timor-Leste on progress towards meeting the Goals. The Mission and UNDP continued their support for the Millennium Development Goals secretariat. The Government and the United Nations country team, with inputs from the World Bank, prepared a booklet on the Goals, outlining where Timor-Leste currently stands and setting out policy implications for achieving targets and indicators. The Ministry of Finance is in the final stages of its review of the draft.

B. Socio-economic development

42. According to the Asian Development Bank, the economy is projected to achieve 10.4 per cent growth in 2010. The source of growth has been an increase in Government spending, including in the agriculture sector on inputs such as fertilizer and tractors. The budget increase approved in July sharply raised public expenditure by 38.7 per cent. Much of the increase is for cash transfers and for small-scale capital expenditure. The Government expects double-digit growth in the medium term, with low inflation. According to initial World Bank estimates, the poverty level has decreased from 49 per cent to 41 per cent since late 2007.

43. The Petroleum Fund continued to grow as a result of higher petroleum prices, and reached $6.2 billion in March 2010. The Asian Development Bank estimates that inflation will average 5 per cent for the year. The original 2010 budget maintained expenditures within the estimated sustainable income of $502 million; with the budget increase, this will be exceeded by $309 million.

44. On 7 April, the Government hosted the third Timor-Leste Development Partners Meeting, in which the Prime Minister presented a synopsis of the National Strategic Development Plan and delivered a speech that included a critical analysis of shortcomings in foreign assistance to Timor-Leste. My Special Representative encouraged donors to continue predictable support over the long term. In the meantime, members of the United Nations country team provided extensive comments on the summary of the National Strategic Development Plan, as presented at the meeting, which were aimed at supporting the operationalization of the Plan and its transformation into a series of medium-term development plans within agreed financial envelopes. From 8 to 10 April in Dili, the Government, under the auspices of the Organization for Economic Cooperation and Development, hosted the first meeting of the International Dialogue on Peacebuilding and Statebuilding, which was attended by delegates from more than 50 countries and international agencies. In preparation for the meeting, a summit meeting of the Group of Seven Plus (G-7+) group of fragile States was held on 8 April. On 10 April, Timor-Leste was elected to a two-year term as co-chair of the G-7+ group of fragile States and partners.

45. On 11 and 12 May, the Ministry of Education, with support from UNESCO, UNICEF and Plan International, a non-governmental organization, held the first national conference on inclusive education, which resulted in policy recommendations on how to improve opportunities for children to have access to education. From 11 to 13 July, the Women's Parliamentary Group hosted a national conference on reproductive health, family planning and sex education, with technical assistance, coordinated by UNFPA, from UNMIT, UNDP, UNICEF, UNIFEM and the World Health Organization (WHO). The national conference was preceded by seven regional consultations and prompted by concern about high levels of teenage pregnancy and the failure of young girls to complete schooling.

46. The Government also made progress on studies that provide socio-economic data critical for planning purposes. The preliminary results of the Government's second demographic and health survey over the period 2009 and 2010 were released on 29 April, with the detailed, final report scheduled for release by October. It was prepared by the National Statistics Directorate under the aegis of the Ministry of Health, with support from UNFPA, UNICEF, UNDP, WHO and the Governments of Australia and Ireland. The initial findings indicate progress in some critical indicators of the Millennium Development Goals. For example, the fertility rate declined from 7.8 to 5.7 births per woman, the infant mortality rate from 60 to 44 deaths per 1,000 live births and the under-five mortality rate from 83 to 64 deaths per 1,000 live births. These results were largely a result of the efforts of the Ministry of Health through its national reproductive health and family planning strategy. The United Nations Population Fund is supporting the National Statistics Directorate in conducting the second population and housing census; data collection was conducted from 11 to 25 July. This was an intensive logistical effort involving more than 4,000 staff. Preliminary results are scheduled for release by November.

47. The Government made several efforts to prevent and combat disease and illness. In response to the influenza A (H1N1) pandemic, from mid-2009 to August 2010, the Ministry of Health, with support from WHO, made pandemic preparedness plans, including the enhancement of its surveillance systems; obtained Tamiflu tablets; installed a ventilator at the national hospital; and carried out a range of training sessions for health-care workers. The Government, also with WHO support and through concerted health-care efforts, was able to reduce the prevalence rate of leprosy to less than 1 per 10,000 people.

48. Food security remained one of the Government's top priorities in 2010, with a special emphasis on the expansion of domestic food production. The Ministry of Agriculture and Fisheries, with support from the Food and Agriculture Organization of the United Nations, conducted country-wide crop-cutting surveys to provide more reliable estimates of maize and rice production. The results of the maize crop production survey indicate that the total harvest of maize was 15 per cent lower in 2010 than in 2009. Preliminary results for the rice production survey indicate that the harvest in 2010 could be 20 per cent lower than in 2009. This decrease in crop production may have been caused by a combination of factors, including limited progress in the implementation of Government policies to promote the purchase of domestically produced food crops in 2009, which may have prevented farmers from expanding production in 2010. The Food and Agriculture Organization supported the Government's efforts to improve food security through other initiatives, including the distribution of high-quality maize, rice and vegetable seeds and fertilizer to 3,500 food-insecure farming households in Baucau District.

49. The Government also continued efforts to provide food assistance to food-insecure and vulnerable populations with support from the World Food Programme (WFP), including through the Ministry of Health's mother and child nutrition programme (47,000 beneficiaries in 2010 as at 30 June), the Ministry of Education's school feeding programme (241,000 beneficiaries) and the food for work/asset programme (600 beneficiaries), which targets food-insecure communities. On 27 May, a production plant for nutritious blended food for distribution through the Mother and Child Nutrition Programme was inaugurated with technical and managerial support from WFP. In early 2010, the Government assumed greater managerial and resourcing ownership of the school feeding programme. It is expected that WFP will phase out direct food aid to the programme as from 2011, but will continue its technical support.

50. In order to assist the Government in addressing the challenge of high unemployment rates, especially among youth, the International Labour Organization provided technical assistance to the Secretary of State for Vocational Training and Employment. This included assistance for programmes providing temporary employment for more than 5,800 people (30 per cent of them women) living in rural areas, assisting 2,525 job seekers (62.4 per cent of them women) with career guidance services and supporting 764 unemployed people (79.7 per cent of them women) in initiating their own businesses through access to skills and management training, microcredit and start-up kits.

51. The Mission continued its greening initiatives (see S/2010/85, para. 169) in cooperation with the United Nations country team. New joint initiatives included instituting a "greening" briefing as part of United Nation staff induction training, encouraging double-sided printing by staff, installing recycling bins for tin and

plastic and warning drivers against excessive engine idle times. On 16 February, President Ramos-Horta proposed, along with the Government of Maldives, an initiative on climate change.

C. Humanitarian assistance

52. On 28 February, the last transitional shelter for internally displaced persons was officially closed, with support from IOM. On 31 May, the Ministry for Social Solidarity also concluded the housing assistance component of the National Recovery Strategy (see S/2010/85, para. 14). The budget increase approved on 2 July included an allocation of $4 million to help address the remaining approximately 4,600 claims for financial compensation to be processed by the Ministry before the end of the year. In recognition of the fact that Timor-Leste is no longer facing a humanitarian crisis, my Deputy Special Representative for Governance Support, Development and Humanitarian Coordination relinquished the title of Humanitarian Coordinator.

53. In July and August, unseasonable rains adversely impacted the southern coast and Dili District, causing severe floods and landslides that affected at least 2,038 families, severely damaged 146 houses, killed four people and collapsed bridges. In response, UNMIT, with support from IOM, provided technical and logistical support during floods in Covalima District on 3 and 4 July and assisted the evacuation of families during flooding in Dili District on 8 and 9 July. The Mission also provided helicopter support for the delivery of Government supplies and the visits of assessment missions to affected areas throughout July and August. The Food and Agriculture Organization and WFP offered technical assistance to the Government to conduct a food security assessment in view of the crop damage caused. The damage caused by the floods and landslides highlighted the need for continued support to strengthen capacity for disaster preparedness and response, and to enhance inter-ministerial coordination in response to natural disasters.

V. Financial aspects

54. The General Assembly, by its resolution 64/276, decided to appropriate the amount of $218.8 million for the maintenance of UNMIT for the period from 1 July 2010 to 30 June 2011. As at 31 August 2010, unpaid assessed contributions to the special account for UNMIT amounted to $109 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $4,827.5 million.

55. As at 31 August 2010, amounts owed to formed police contributors to UNMIT totalled $1.8 million. Reimbursement of the costs of formed police units and payments for equipment owned by formed police units have been made for periods up to 30 April 2010 and 31 March 2010, respectively, in accordance with the quarterly payment schedule.

VI. Observations

56. It is encouraging that continued advances were made in all of UNMIT's four mandated priority areas, including dialogue initiatives on critical national issues,

further progress in resumption of primary policing responsibilities by PNTL, the promulgation of the national security legislative package, the Strategic Development Plan and the Justice Sector Strategic Plan for Timor-Leste. These are examples of Timor-Leste's increasing focus on the more challenging long-term issues confronting the country. However, they are initial steps on the country's road to sustainable peace and development. Further efforts are required to overcome the political, institutional and socio-economic weaknesses that contributed to the events of 2006. In this regard, continued support from the international community will be necessary.

57. I am heartened that all political parties, including the opposition, continued to demonstrate their commitment to channelling political expression through democratic means. It should be noted that the opposition, in particular, played its role in a responsible manner during this period. The Prime Minister also noted the contribution of the opposition in his speech on the occasion of the third anniversary of the formation of the AMP Government. The 21-22 August retreat showed that national leaders are increasingly willing to come together to discuss national priority issues. In this regard, President Ramos-Horta's initiatives, as well as the support of the Catholic Church, should be commended for their valuable contribution to political dialogue and reconciliation. It is critical to maintain the momentum of these initiatives and I encourage all parties to continue their active participation in them. My Special Representative, on her part, will continue her good offices among all political actors to facilitate political dialogue. This may become even more important as Timor-Leste approaches the next national elections, which are to be held by 2012.

58. While there has been steady progress in the resumption of primary policing responsibilities by the national police, it must be pointed out that success in the reconstitution and further development of the national police will depend on many factors, including the institutionalization of effective disciplinary mechanisms, command and control structures, weapons control mechanisms and planning processes, as well as the provision of adequate logistical support.

59. To facilitate smooth and effective progress towards full reconstitution of the national police, a reinvigorated partnership between UNMIT police and the national police is required, which should reflect the increased focus of UNMIT on capacity-building. The job profiles of UNMIT police have been adjusted accordingly, reflecting five focus areas for capacity-building of the national police: advisers, internal investigators, mentors and monitors, policy research and development, and trainers. In addition, the recruitment for 19 civilian expert posts within the UNMIT police component in order to further enhance its emphasis on skills building and institutional development is well advanced. The Government must also seriously take into account the continuing logistical needs of the national police in its budgetary and planning processes.

60. As I previously noted (see S/2010/85, para. 176), reconfiguration of the UNMIT police should be approached cautiously, taking into account, among other factors, the need for a sufficient presence in all districts and units to provide monitoring, advising, training, mentoring and support as required for the continued capacity-building and institutional development of the national police. The gradual, phased drawdown of UNMIT police began in April, with the reduction of a total of 22 individual police officers by May. It is currently planned that one platoon each

(35 officers) of the Bangladeshi and Pakistani formed police units will be withdrawn by December 2010 and March 2011, respectively. Further phased reductions of UNMIT police officers are envisaged through the first six months of 2011, with 800 individual police officers (from the current 1,023 officers) to remain by 30 June 2011; however, this will be determined by an assessment to be conducted in late 2010 or early 2011.

61. While welcoming progress made in the overarching policy and legislative framework for the security sector, it is my hope that its operationalization and subsidiary legislation will provide greater clarity on the delineation of the respective roles and responsibilities of the military and police, particularly with regard to offering the former a meaningful role in a peacetime setting. Although the relationship between the national police and F-FDTL has improved markedly since 2006, failure to provide such clarity may contribute to future tensions or incidents. The Mission will continue to provide support to the capacity-building of security institutions through the joint security sector project of UNMIT and UNDP.

62. I am encouraged by the progress in strengthening national capacities and enhancing the effectiveness of the justice sector, including the increasing number of national judicial actors and the incorporation of recommendations of the independent comprehensive needs assessment into the Justice Sector Strategic Plan for Timor-Leste. Progress in processing cases continued, with a growing number of new cases resulting from increased confidence in the formal justice system. Concerted and coordinated approaches are required to overcome weaknesses, including a lack of infrastructure and insufficient human resources, which, if not addressed, could affect the public's confidence in the justice system.

63. Progress on the draft laws on the follow-up institution to the Commission for Reception, Truth and Reconciliation and the Commission of Truth and Friendship and on reparations is particularly welcome. The National Parliament should be commended for making every effort to ensure that the widest possible range of views has been taken into account through public hearings with participation from a wide range of stakeholders, including victims' and community representatives and civil society groups.

64. There are concerns that the 20 August granting of commutations could undermine future investigations and trials of the cases recommended by the Commission of Inquiry and lead to a public perception that members of the security forces are treated in a favoured manner by the authorities. Future efforts to combat impunity, including efforts to achieve accountability for Commission of Inquiry cases, and to establish the rule of law could also be adversely impacted.

65. As the Strategic Development Plan will be an important document to guide the future development of Timor-Leste, the efforts of the Prime Minister to take into account the aspirations of communities throughout the country should be commended. Given its long time frame, the Plan should be a consensus document. Although there are many socio-economic challenges to be addressed, it is critical that development efforts focus on inequalities between rural and urban areas and, as indicated by the national leaders in their retreat of 21 and 22 August, reflect the country's values and culture. In addition, it is not clear that present patterns of public expenditure are sustainable for long-term development. The Government should therefore responsibly shift resources from the Petroleum Fund to investments in the productive sectors, which will help to generate multiplier effects in the

economy. Continued donor commitment is essential to operationalizing the Strategic Development Plan.

66. As I noted in my previous report (see S/2010/85, para. 178), UNMIT will consult closely with the Government on its transition planning. On 17 September, my Special Representative held a meeting with the President and senior Government officials to discuss a strategy to guide the transition planning and activities of UNMIT through 2012. They agreed on the establishment of a jointly owned planning and implementation mechanism. It was also agreed that a high-level steering group to oversee that mechanism would hold its first quarterly meeting in late November. I will provide further updates on the progress in the transition process in my next report to the Security Council.

67. In conclusion, I wish to thank my Special Representative, Ameerah Haq, for her leadership, and all of the staff of UNMIT and the United Nations country team for their continued efforts in supporting the people of Timor-Leste to advance the causes of peace, stability and development. In this regard, I would like to pay special tribute to the dedicated work and fond memory of Takahisa Kawakami, my former Deputy Special Representative for Security Sector Support and Rule of Law, who passed away last March. I also wish to thank the international security forces for their continued support to UNMIT, including with respect to the maintenance of a stable security situation in Timor-Leste.